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Attorneys for Plaintiffs

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

JANE DOE I, *et al.*,

Plaintiffs,

v.

LAKIREDDY BALI REDDY, *et al.*,

Defendants.

CASE NO. C-02-5570-WHA

**DECLARATION OF RANDALL T. KIM IN
SUPPORT OF PLAINTIFFS' MOTION TO
CHANGE TIME FOR CLASS
CERTIFICATION MOTION
[LOCAL RULE 6-3]**

I, Randall T. Kim, declare as follows:

1. I am an attorney admitted to practice law in the State of California and before this Court and am associated with the law firm of Latham & Watkins LLP, counsel to plaintiffs Jane Does I through VIII, Sreekanth Kollipara, and Jarmani and Lakshmi Prattipati (hereinafter "Plaintiffs") in this matter. I have personal and firsthand knowledge of the facts

1 stated in this declaration and, if called upon to do so, I could and would testify competently
2 thereto. I make this declaration in support of Plaintiffs' Motion to Change Time for Class
3 Certification Motion, filed simultaneously herewith.

4 2. Plaintiffs initially noticed the depositions of defendants Pasand Madras
5 Cuisine and Jay Construction on June 12, 2003. True and correct copies of those deposition
6 notices are attached hereto as **Exhibits A and B**, respectively. The dates for deposition set by
7 those notices, which were issued pursuant to paragraph 10 of this Court's Supplemental Order to
8 Order Setting Initial Case Management Conference in Civil Cases Before Judge William Alsup
9 ("Supplemental Order"), were July 17 and 24.

10 3. Defendants exercised their right under the Supplemental Order to re-set
11 those depositions, re-calendaring both for August 15, 2003.

12 4. In late July, for the mutual convenience of all parties (there were then two
13 other depositions set for that same day), plaintiffs agreed to defendants' request to take off
14 calendar and then to re-schedule the FRCP 30(b)(6) depositions of Pasand Madras Cuisine and
15 Jay Construction.

16 5. On August 4, 2003, the Court issued an Order to Show Cause requiring
17 the plaintiffs to explain their intentions with respect to class certification by August 11. The
18 Court also set September 18 as the date by which plaintiffs were required to move for class
19 certification as to any of their claims. At the time, the parties were about to begin an exhaustive
20 August deposition schedule, with approximately 14 depositions then scheduled for the month.

21 6. Defendants Jayaprakash Reddy Lakireddy (L.B. Reddy's brother) and
22 defendant L.B. Reddy were scheduled to be deposed on August 8 and August 12, respectively.
23 On the morning of Jayaprakash's deposition, however, counsel for defendants, Mr. Bolechowski,
24 fell ill and could not proceed with the deposition. Plaintiffs accommodated Mr. Bolechowski's
25 unfortunate predicament by agreeing to take off calendar and later to re-schedule the depositions
26 of both Jayaprakash Lakireddy and L.B. Reddy. Those depositions have not yet been conducted.

27 7. On August 29, after reviewing the defendants' inadequate wage and hour
28 discovery responses, I left a voicemail for David Hart, counsel for the non-Prasad defendants,

1 notifying him that plaintiffs intended to take the depositions of Pasand Madras Cuisine's and Jay
2 Construction's 30(b)(6) designees prior to the September 18 deadline imposed by the Court and
3 inquiring about witness availability. I did not hear back from Mr. Hart.

4 8. On September 2, I wrote a letter to Mr. Hart proposing September 15 and
5 16 as suitable dates but indicating that plaintiffs' counsel were available on almost any day
6 before September 18. A true and correct copy of my September 2, 2003 letter to Mr. Hart is
7 attached hereto as **Exhibit C**.

8 9. In response, on September 4, 2003, defendants indicated that they were
9 not available on any date prior to September 18 and proposed September 30 and October 6, 2003
10 as alternative dates. A true and correct copy of Mr. Hart's September 4, 2003 letter to plaintiffs'
11 counsel is attached as **Exhibit D**.

12 10. On September 3, during the deposition of Jane Doe IV, all parties except
13 Prasad Lakireddy agreed to stipulate to an extension of the class certification date by one month
14 to permit plaintiffs to take the depositions of Pasand Madras Cuisine and Jay Construction in late
15 September or early October. The parties also agreed that such an extension would not in any
16 way affect the discovery cutoff or the trial date.

17 11. Plaintiffs prepared a stipulation on September 4 and counsel for the non-
18 Prasad defendants provided a few small edits the following day, which plaintiffs accepted. The
19 terms of that stipulation were discussed among all counsel and the proposed edits were circulated
20 during two depositions last week at which counsel for all parties participated.

21 12. On September 8, 2003, when plaintiffs circulated the final approved
22 version of the stipulation for all counsel's signature, Prasad's counsel for the first time stated that
23 they would refuse to sign unless the discovery cutoff and trial date were also pushed back. A
24 true and correct copy of my September 8, 2003 letter to all counsel enclosing the stipulation and
25 confirming plaintiffs' intent to take the 30(b)(6) depositions on September 15 and 16, 2003 is
26 attached as **Exhibit E**. A true and correct copy of Gail Quan's September 9, 2003 letter to me
27 confirming that Prasad Lakireddy would not sign the stipulation is attached as **Exhibit F**.

28 13. The discovery cut-off, class certification deadline, and trial dates have not

EXHIBIT A

1 MICHAEL RUBIN (#80618)
 SCOTT A. KRONLAND (#171693)
 2 REBEKAH B. EVENSON (# 207825)
 Altshuler, Berzon, Nussbaum, Rubin & Demain
 3 177 Post Street, Suite 300
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 4 Telephone: (415) 421-7151
 Facsimile: (415) 362-8064

5 Attorneys for Plaintiffs

7 IN THE UNITED STATES DISTRICT COURT
 8 NORTHERN DISTRICT OF CALIFORNIA

9 JANE DOE I, <i>et al.</i> ,) No. C-02-5570 WHA
10 Plaintiffs,)
11 v.) NOTICE OF TAKING OF
) DEPOSITION OF PASAND MADRAS
12 LAKIREDDY BALI REDDY, <i>et al.</i> ,) CUISINE (Person Most Knowledgeable)
13 Defendants.)
) Date: July 24, 2003
) Time: 9:00 a.m.
) Place: 177 Post Street, Suite 300,
) San Francisco, CA 94108

15 PLEASE TAKE NOTICE that on Thursday, July 24, 2003, commencing at 9:00 a.m.
 16 plaintiffs will take the oral deposition of Pasand Madras Cuisine pursuant to FRCP 30(b)(6).

17 The deposition will take place at the law offices of Altshuler, Berzon, Nussbaum, Rubin
 18 & Demain, 177 Post Street, Suite 300, San Francisco, CA 94108 (415/421-7151) before a
 19 Certified Court Reporter/Notary Public authorized to administer oaths who is present at the
 20 specified time and place. Unless otherwise agreed, this deposition shall continue from day to
 21 day until completed. The deposition shall be recorded by stenographic means and by videotape.

22 This examination is requested as to the following matters:

- 23 1. The terms and conditions of the named plaintiffs' employment for the company.
 24 [i.e. dates of their employment; hours they worked; their job duties; the locations
 25 where they performed work; the compensation they received; the records that
 26 were kept of their employment; the terms of any contracts of employment.]
- 27 2. The employment records maintained by the company between October 1990 and
 28 the present for all employees. [i.e. the policy for maintaining and retaining, and

current location of, payroll and new hire records, tax returns, EDD, DOL, INS, Franchise Tax Board, and IRS filings and DOL filings and submissions.]

3. The organization, ownership, control, and management of the company between October 1990 and the present. [i.e. the names, contact information, and roles of the company's owners and managers in the operation of the business, including the operation of each of the Pasand restaurants; the organizational documents for the company.]
4. The role of the company in the conspiracy by Lakireddy Bali Reddy and his family members to bring Indian nationals to the United States illegally and employ them in their family businesses.
5. The use of workers employed off-the-books to perform work for the company from October 1990 to the present. By "off-the-books" we mean that the employee's true name and/or correct compensation was not reported to the Employment Development Department and the Social Security Administration. [i.e. the names and contact information for these workers; the hours they worked; the compensation they received; the locations where they performed work; the records that were kept of their employment.]
6. The current assets of the company and any transfers of or encumbrances placed on those assets since November 1999.
7. The income and expense records of the company from 1990 to the present. [i.e. what records were kept of the company's operations and where they are currently located.]
8. Administrative claims and lawsuits asserted against the company from October 1990 to the present, including claims by the Department of Labor.
9. The filing of forms with the Immigration and Naturalization Service by or on behalf of the company, from October 1990 to the present.
10. The immigration status of company employees from October 1990 and the present, including whether any of these employees came to the United States on

1 the basis of fraudulent visas.

2 Pursuant to FRCP 30(b)(6), the deponent must designate one or more officers, directors,
3 or managing agents who consent to testify on its behalf, and may set forth, for each person
4 designated, the matters on which the person will testify. The persons so designated must testify
5 as to matters known or reasonably available to the organization.

6 If the deponent(s) will require a translator, please contact the undersigned counsel within
7 10 days of service of this notice.

8 A list of all parties or attorneys for parties on whom this Notice is being served is shown
9 on the accompanying Proof of Service.

10 Dated: June 12, 2003

11 Respectfully submitted,

12 ALTSHULER, BERZON, NUSSBAUM,
13 RUBIN & DEMAINE

14 By: 
15 Scott A. Kronland

16 Attorneys for Plaintiffs

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PROOF OF SERVICE

CASE: Jane Doe I, et al. v. Lakireddy Bali Reddy, et al.,

CASE NO: U.S. District Court, N.D. Cal., Case No. C-02-5570 WHA

I am employed in the City and County of San Francisco, California. I am over the age of eighteen years and not a party to the within action; my business address is 177 Post Street, Suite 300, San Francisco, California 94108. On June 12, 2003, I served the following documents:

**NOTICE OF TAKING OF DEPOSITION OF PASAND MADRAS CUISINE
(Person Most Knowledgeable)**

on the parties, through their attorneys of record, by placing true copies thereof in sealed envelopes addressed as shown below for service as designated below:

(A) By First Class Mail: I am readily familiar with the practice of Altshuler, Berzon for the collection and processing of correspondence for mailing with the United States Postal Service. I caused each such envelope, with first-class postage thereon fully prepaid, to be deposited in a recognized place of deposit of the U.S. Mail in San Francisco, California, for collection and mailing to the office of the addressee on the date shown herein.

(B) By Facsimile: I caused such document to be served via facsimile electronic equipment transmission (fax) on the parties in this action by transmitting a true copy to the following fax numbers:

	ADDRESSEE	PARTY
A&B	William S. Berland Ferguson & Berland 1816 Fifth Street Berkeley, CA 94710-1915 Facsimile: 510/548-3143	Attorneys for Defendants Lakireddy Bali Reddy, Vijay Kumar Lakireddy, Jayaprakash Reddy Lakireddy, Venkateswara Reddy Lakireddy, Pasand Madras Cuisine, Pasand, Inc., Lakireddy Investment Co., L.B. Reddy Estate Co., Jay Construction, Active Tech Solutions, Vani Computer Solutions, Lakireddy Bali Reddy d/b/a Reddy Realty Co.
A&B	Michael W. Bolechowski Mark C. Raskoff David Hart Bishop, Barry, Howe, Haney & Ryder Watergate Tower III 2000 Powell Street, Suite 1425 Emeryville, CA 94608 Facsimile: 510/596-0899	Attorneys for Defendants Lakireddy Bali Reddy, Vijay Kumar Lakireddy, Jayaprakash Reddy Lakireddy, Venkateswara Reddy Lakireddy, Pasand Madras Cuisine, Pasand, Inc., Lakireddy Investment Co., L.B. Reddy Estate Co., Jay Construction, Active Tech Solutions, Vani Computer Solutions, Lakireddy Bali Reddy d/b/a Reddy Realty Co.
A&B	Jonathan R. Bass Coblentz, Patch, Duffy & Bass, LLP 222 Kearny Street, 7th Floor San Francisco, CA 94108-4510 Facsimile: 415/989-1663	Attorneys for Defendant Prasad Lakireddy

1 I declare under penalty of perjury under the laws of the State of California that the
2 foregoing is true and correct. Executed this June 12, 2003, at San Francisco, California.

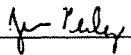
3 
F:\Reddy\Global Case\Discovery\Depositions\Notices\Pasand.Madras.Cuisine 6-12-03.wpd Jean Perley

EXHIBIT B

MICHAEL RUBIN (#80618)
 SCOTT A. KRONLAND (#171693)
 REBEKAH B. EVENSON (# 207825)
 Altshuler, Berzon, Nussbaum, Rubin & Demain
 177 Post Street, Suite 300
 San Francisco, CA 94108
 Telephone: (415) 421-7151
 Facsimile: (415) 362-8064

Attorneys for Plaintiffs

IN THE UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

JANE DOE I, *et al.*,

Plaintiffs,

v.

LAKIREDDY BALI REDDY, *et al.*,

Defendants.

) No. C-02-5570 WHA

) **NOTICE OF TAKING OF**
) **DEPOSITION OF JAY**
) **CONSTRUCTION (Person Most**
) **Knowledgeable)**

) Date: July 17, 2003

) Time: 9:00 a.m.

) Place: 177 Post Street, Suite 300,
) San Francisco, CA 94108

PLEASE TAKE NOTICE that on Thursday, July 17, 2003, commencing at 9:00 a.m. plaintiffs will take the oral deposition of Jay Construction pursuant to FRCP 30(b)(6).

The deposition will take place at the law offices of Altshuler, Berzon, Nussbaum, Rubin & Demain, 177 Post Street, Suite 300, San Francisco, CA 94108 (415/421-7151) before a Certified Court Reporter/Notary Public authorized to administer oaths who is present at the specified time and place. Unless otherwise agreed, this deposition shall continue from day to day until completed. The deposition shall be recorded by stenographic means and by videotape.

This examination is requested as to the following matters:

1. The terms and conditions of the named plaintiffs' employment for the company.
 [i.e. dates of their employment; hours they worked; their job duties; the locations where they performed work; the compensation they received; the records that were kept of their employment; the terms of any contracts of employment.]
2. The employment records maintained by the company between October 1990 and the present for all employees. [i.e. the policy for maintaining and retaining, and

current location of, payroll and new hire records, tax returns, EDD, DOL, INS, Franchise Tax Board, and IRS filings and DOL filings and submissions.]

3. The organization, ownership, control, and management of the company between October 1990 and the present. [i.e. the names, contact information, and roles of the company's owners and managers in the operation of the business, including the operation of each of the Pasand restaurants; the organizational documents for the company.]
4. The role of the company in the conspiracy by Lakireddy Bali Reddy and his family members to bring Indian nationals to the United States illegally and employ them in their family businesses.
5. The use of workers employed off-the-books to perform work for the company from October 1990 to the present. By "off-the-books" we mean that the employee's true name and/or correct compensation was not reported to the Employment Development Department and the Social Security Administration. [i.e. the names and contact information for these workers; the hours they worked; the compensation they received; the locations where they performed work; the records that were kept of their employment.]
6. The current assets of the company and any transfers of or encumbrances placed on those assets since November 1999.
7. The income and expense records of the company from 1990 to the present. [i.e. what records were kept of the company's operations and where they are currently located.]
8. Administrative claims and lawsuits asserted against the company from October 1990 to the present, including claims by the Department of Labor.
9. The filing of forms with the Immigration and Naturalization Service by or on behalf of the company, from October 1990 to the present.
10. The immigration status of company employees from October 1990 and the present, including whether any of these employees came to the United States on

1 the basis of fraudulent visas.

2 Pursuant to FRCP 30(b)(6), the deponent must designate one or more officers, directors,
3 or managing agents who consent to testify on its behalf, and may set forth, for each person
4 designated, the matters on which the person will testify. The persons so designated must testify
5 as to matters known or reasonably available to the organization.

6 If the deponent(s) will require a translator, please contact the undersigned counsel within
7 10 days of service of this notice.

8 A list of all parties or attorneys for parties on whom this Notice is being served is shown
9 on the accompanying Proof of Service.

10 Dated: June 12, 2003

11 Respectfully submitted,

12 ALTSHULER, BERZON, NUSSBAUM,
13 RUBIN & DEMAINE

14 By: 
15 Scott A. Kronland

16 Attorneys for Plaintiffs

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PROOF OF SERVICE

CASE: Jane Doe I, et al. v. Lakireddy Bali Reddy, et al.,

CASE NO: U.S. District Court, N.D. Cal., Case No. C-02-5570 WHA

I am employed in the City and County of San Francisco, California. I am over the age of eighteen years and not a party to the within action; my business address is 177 Post Street, Suite 300, San Francisco, California 94108. On June 12, 2003, I served the following documents:

**NOTICE OF TAKING OF DEPOSITION OF JAY CONSTRUCTION
(Person Most Knowledgeable)**

on the parties, through their attorneys of record, by placing true copies thereof in sealed envelopes addressed as shown below for service as designated below:

(A) By First Class Mail: I am readily familiar with the practice of Altshuler, Berzon for the collection and processing of correspondence for mailing with the United States Postal Service. I caused each such envelope, with first-class postage thereon fully prepaid, to be deposited in a recognized place of deposit of the U.S. Mail in San Francisco, California, for collection and mailing to the office of the addressee on the date shown herein.

(B) By Facsimile: I caused such document to be served via facsimile electronic equipment transmission (fax) on the parties in this action by transmitting a true copy to the following fax numbers:

	ADDRESSEE	PARTY
A&B	William S. Berland Ferguson & Berland 1816 Fifth Street Berkeley, CA 94710-1915 Facsimile: 510/548-3143	Attorneys for Defendants Lakireddy Bali Reddy, Vijay Kumar Lakireddy, Jayaprakash Reddy Lakireddy, Venkateswara Reddy Lakireddy, Pasand Madras Cuisine, Pasand, Inc., Lakireddy Investment Co., L.B. Reddy Estate Co., Jay Construction, Active Tech Solutions, Vani Computer Solutions, Lakireddy Bali Reddy d/b/a Reddy Realty Co.
A&B	Michael W. Bolechowski Mark C. Raskoff David Hart Bishop, Barry, Howe, Haney & Ryder Watergate Tower III 2000 Powell Street, Suite 1425 Emeryville, CA 94608 Facsimile: 510/596-0899	Attorneys for Defendants Lakireddy Bali Reddy, Vijay Kumar Lakireddy, Jayaprakash Reddy Lakireddy, Venkateswara Reddy Lakireddy, Pasand Madras Cuisine, Pasand, Inc., Lakireddy Investment Co., L.B. Reddy Estate Co., Jay Construction, Active Tech Solutions, Vani Computer Solutions, Lakireddy Bali Reddy d/b/a Reddy Realty Co.
A&B	Jonathan R. Bass Coblentz, Patch, Duffy & Bass, LLP 222 Kearny Street, 7th Floor San Francisco, CA 94108-4510 Facsimile: 415/989-1663	Attorneys for Defendant Prasad Lakireddy

1 I declare under penalty of perjury under the laws of the State of California that the
2 foregoing is true and correct. Executed this June 12, 2003, at San Francisco, California.

3 F:\Reddy\Global Case\Discovery\Depositions\notices\Jay Construction 6-12-03.wpd

J. Perley

Jean Perley

EXHIBIT C

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LATHAM & WATKINS LLP

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Milan	Singapore
Moscow	Tokyo
	Washington, D.C.

September 2, 2003

VIA FACSIMILE

File No. 037076-0000

Michael W. Bolechowski
David Hart
Bishop, Barry, Howe, Haney & Ryder
Watergate Tower III
2000 Powell Street, Suite 1425
Emeryville, CA 94608

Re: Jane Doe I, et al. v. Lakireddy Bali Reddy, et al.

Dear Counsel:

Lakireddy Bali Reddy still has not provided an adequate response to Interrogatories Nos. 20 and 22 of Plaintiff Jane Doe I's first set of interrogatories, which seek the identities of Mr. Reddy's co-conspirators. We assume that your position has not changed with respect to this issue since the parties' earlier meet-and-confer efforts. As such, unless we hear from you by the end of today, we will prepare plaintiffs' half of a letter brief and submit it to defendants tomorrow.

I am also awaiting a response from you regarding the availability and identity of the persons most knowledgeable about the FRCP 30(b)(6) deposition notices served upon Pasand Madras Cuisine and Jay Construction. We are available almost most days between now and September 18. If we do not receive a response today, we will seek Magistrate James' intervention to compel the depositions of representatives of Pasand Madras Cuisine and Jay Construction on September 15 and 16, respectively.

I look forward to hearing from you.

Truly yours,



Randall T. Kim
of LATHAM & WATKINS LLP

cc: All counsel

EXHIBIT D

NELSON C. BARRY
DRAYTON Z. HOWE, JR.
JEFFREY N. HANEY
YVESMAS O. HANAN
MICHAEL W. BOLECHOWSKI *
MARK C. RASKOFF
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JONATHAN GROSS
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CAROL L. HEALEY
SANDY Y. LIU
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MARY A. INKER ****
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JANE B. YEE
DEKHAN K. WRIGHT
SHARON H. HOLWERDA
GINA A. HANAN

* ALSO ADMITTED IN PENNSYLVANIA
** ALSO ADMITTED IN
WASHINGTON & OREGON
*** ALSO ADMITTED IN MARYLAND
**** ALSO ADMITTED IN TEXAS

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ROSS R. RYDER (1940-1980)
OF COUNSEL:
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JENNIFER M. WAYS
ANDREW A. GIBBS
COLIN ADKINS*
MARGARET P. BAKER
JAY E. FRAMSON
*ALSO ADMITTED IN NEVADA

DIRECT DIAL NUMBER

September 4, 2003

VIA FACSIMILE & US MAIL

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Rebekah Evenson, Esq.
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John P. Flynn, Esq.
Randall T. Kim, Esq.
Shannon M. Eagan, Esq.
Lathan & Watkins LLP
505 Montgomery Street, Suite 1900
San Francisco, CA 94111
Fax: 415-395-8095

Re: Jane Doe v. Lakireddy Bali Reddy

Dear Counsel:

The purpose of this letter is to address outstanding discovery issues.

On Friday August 29, 2003 you requested that the PMK depositions for Jay Construction and Pasand Madras Cuisine be September 15th and 16th respectively. We will treat your oral request the same as if you had sent a deposition notice. In accordance with Judge Alsup's order we have selected two dates for these depositions within thirty days of your request. For Jay Construction we are available October 6, 2003. For Pasand Madras Cuisine we are available September 30, 2003.

During our meet and confer yesterday, we wanted to discuss scheduling of additional depositions prior to sending notices as required by Judge Alsup's Order. For your own reasons you were unwilling to discuss future scheduling. We will proceed to notice the next group of depositions with the understanding that dates may have to be moved.

We have still not received the interrogatories you agreed to supplement. When may we expect the answers to the supplemented interrogatories?

In your third request for production of documents you request all documents received pursuant to subpoena. Up until now, we have been producing these documents informally. In response to your document request, I will hold the new documents we receive from subpoenas until the date you specified in your third request for production of documents.

Counsel

Re: Jane Doe v. Lakireddy Bali Reddy

September 4, 2003


Page 2

Should you have any questions concerning the above do not hesitate to contact this writer.

Very truly yours,

BISHOP, BARRY, HOWE, HANEY & RYDER

By:



Michael W. Bolechowski
David L. Hart

DLH

cc All Defense Counsel

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EXHIBIT E

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LATHAM & WATKINS LLP

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Los Angeles	Silicon Valley
Milan	Singapore
Moscow	Tokyo
	Washington, D.C.

September 8, 2003

VIA FACSIMILE

File No. 037076-0000

Michael W. Bolechowski
David Hart
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Watergate Tower III
2000 Powell Street, Suite 1425
Emeryville, CA 94608

Jonathan R. Bass
Naomi Rustomjee
Gail Quan
Coblentz, Patch, Duffy & Bass, LLP
One Ferry Building, Suite 200
San Francisco, CA 94111

Re: Jane Doe I, et al. v. Lakireddy Bali Reddy, et al.

Dear Counsel:

Attached please find a stipulation regarding the class certification deadline, as edited by Mr. Bolechowski. If it meets with your approval, please either sign it and return by fax or send me an email permitting me to electronically sign on your behalf. We would like to get the stipulation filed first thing this morning, if possible.

Unless Judge Alsup approves the parties' stipulation, we will have no choice but to take the depositions of Pasand Madras Cuisine's and Jay Construction's 30(b)(6) designees on September 15 and 16, respectively. If the appropriate witnesses are truly unavailable on those dates, we suggest you seek relief from Magistrate James immediately. We are willing to respond to your half of a letter brief on a compressed schedule as necessary.

Thank you for your immediate attention to this matter.

Truly yours,



Randall T. Kim
of LATHAM & WATKINS LLP

cc: All counsel

1 LATHAM & WATKINS LLP

Peter A. Wald (Bar No. 085705)

2 John P. Flynn (Bar No. 141094)

Randall T. Kim (Bar No. 196244)

3 Shannon M. Eagan (Bar No. 212830)

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6 ALTSHULER, BERZON, NUSSBAUM,
RUBIN & DEMAIN

7 Michael Rubin (Bar No. 80618)

Scott A. Kronland (Bar No. 171693)

8 Rebekah B. Evenson (Bar No. 207825)

177 Post Street, Suite 300

9 San Francisco, California 94108

Telephone: (415) 421-7151

10 Facsimile: (415) 362-8064

11 Attorneys for Plaintiffs

12
13 IN THE UNITED STATES DISTRICT COURT
14 FOR THE NORTHERN DISTRICT OF CALIFORNIA
15

16 JANE DOE I, *et al.*,

17 Plaintiffs,

18 v.

19 LAKIREDDY BALI REDDY, *et al.*,

20 Defendants.

CASE NO. C-02-5570-WHA

**STIPULATION & PROPOSED ORDER
EXTENDING PLAINTIFFS' DEADLINE TO
MOVE FOR CLASS CERTIFICATION**

**EXPEDITED CONSIDERATION
REQUESTED**

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24 The parties jointly request that the Court approve the parties' stipulation that the
25 date by which plaintiffs must move for class certification be extended from September 18, 2003
26 to October 20, 2003.

27 Good cause exists for this request. The plaintiffs originally noticed the
28 depositions of defendants Pasand Madras Cuisine and Jay Construction for August 15, 2003,

1 pursuant to the Court's standing orders. Prior to receiving the Court's August 4, 2003 order
2 regarding the deadline by which the plaintiffs were required to move for class certification, at the
3 request of the defendants, the plaintiffs agreed to take those depositions off calendar and re-
4 schedule them on mutually convenient dates. Defendants Pasand Madras Cuisine and Jay
5 Construction have recently informed plaintiffs' counsel that their 30(b)(6) representatives are not
6 available for deposition until late September or early October. These depositions are necessary
7 for plaintiffs' motion to certify a wage and hour class.

8 In addition, the parties have agreed that this extension will not affect any other
9 deadlines, including but not limited to the trial date of March 29, 2003.

10 The parties respectfully request that the Court consider the parties' request
11 immediately.

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13 Respectfully submitted,

14 Dated: September __, 2003

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1 Dated: September ____, 2003

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12 CUISINE, PASAND, INC., LAKIREDDY
13 INVESTMENT CO., L.B. REDDY
14 ESTATE CO., JAY CONSTRUCTION,
15 ACTIVE TECH SOLUTIONS, VANI
16 COMPUTER SOLUTIONS, LAKIREDDY
17 BAILI REDDY D/B/A/ REDDY REALTY
18 CO.

13 Dated: September ____, 2003

14 COBLENTZ, PATCH, DUFFY & BASS, LLP
15 Jonathan R. Bass
16 Naomi Rustomjee
17 Gail N. Quan

16 LAW OFFICE OF PAUL DELANO WOLF
Paul Delano Wolf

18 By _____

19 ATTORNEYS FOR PRASAD
20 LAKIREDDY

22 **ORDER**

23 Based on the foregoing, it is hereby ORDERED that the deadline for plaintiffs to
24 move for class certification is continued to October 20, 2003.

25 DATED this ____ day of September, 2003.

26 _____
27 THE HONORABLE WILLIAM H. ALSUP
28 United States District Judge

EXHIBIT F

COBLENTZ,
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September 9, 2003

VIA FACSIMILE & MAIL

9578-001

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Re: Jane Doe I, et al. v. Lakireddy Bali Reddy, et al.
United States District Court, N. D. Cal., Case No. C 02-5570 WHA

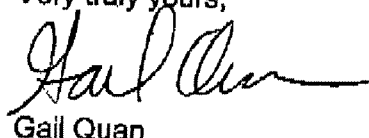
Dear Mr. Kim:

This confirms the voicemail message that I left you yesterday regarding plaintiffs' proposed Stipulation and Proposed Order Extending Plaintiffs' Deadline to Move for Class Certification. Unless, plaintiffs agree to stipulate to and submit a proposed order extending the deadline for non-expert discovery and the trial date by one month each, This would extend the deadline for non-expert discovery to approximately December 22, 2003 and the trial date to April 29, 2003.

Without the extension of time regarding the non-expert discovery cut-off, defendants will not have sufficient time to conduct discovery in support of their opposition to plaintiffs' motion for class certification.

Please contact me at (415) 772-5740 if you wish to discuss this matter further.

Very truly yours,



Gail Quan

cc (via fax): Scott A. Kronland, Esq.
Michael W. Bolechowski, Esq.
Paul D. Wolf, Esq.